

UNITED STATES OF AMERICA
UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MICHIGAN
NORTHERN DIVISION

JEFFERY CARNEY,

Plaintiff,

Case No. 2:07-cv-83

v.

Honorable Wendell A. Miles

ROBERT TREADEAU et al.,

Defendants.

JUDGMENT

In accordance with the Opinion issued herewith,

IT IS ORDERED that Plaintiff's complaint is DISMISSED for failure to state a claim pursuant to 28 U.S.C. §§ 1915(e)(2) and 1915A(b), and 42 U.S.C. § 1997e(c). The Court finds no good-faith basis for appeal within the meaning of 28 U.S.C. § 1915(a)(3). *See McGore v. Wigglesworth*, 114 F.3d 601, 611 (6th Cir. 1997).

IT IS FURTHER ORDERED that the dismissal of this action counts as a strike for purposes of 28 U.S.C. § 1915(g).

Dated: October 30, 2008

/s/ Wendell A. Miles
Wendell A. Miles
United States District Judge